

Senate Study Bill 1162

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CO=CHAIRPERSON CONNOLLY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to improvement of the early care, child care
2 services, education, health, and human services systems under
3 the oversight of the departments of education and human
4 services, the Iowa empowerment board, and the child
5 development coordinating council, and creating a children's
6 cabinet in the executive branch.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 TLSB 2386XC 81
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1 1 Section 1. Section 28.1, Code 2005, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 0A. "Children's cabinet" means the
1 4 children's cabinet created in section 28.10.
1 5 Sec. 2. Section 28.2, subsection 3, Code 2005, is amended
1 6 to read as follows:
1 7 3. To achieve the initial set of desired results, the
1 8 initiative's primary focus shall first be on the efforts of
1 9 the state and communities to work together to improve the
1 10 efficiency and effectiveness of early care, education, health,
1 11 and human services provided to families with children from
1 12 birth through age five years.
1 13 Sec. 3. Section 28.3, subsections 1 and 2, Code 2005, are
1 14 amended to read as follows:
1 15 1. An Iowa empowerment board is created to facilitate
1 16 state and community efforts involving community empowerment
1 17 areas, including strategic planning, funding identification,
1 18 and guidance, and to promote collaboration among state and
1 19 local early care, education, health, and human services
1 20 programs.
1 21 2. The Iowa board shall consist of eighteen voting members
1 22 with thirteen citizen members and five state agency members.
1 23 The five state agency members shall be the directors of the
1 24 following departments: economic development, education, human
1 25 rights, human services, and public health. The thirteen
1 26 citizen members shall be appointed by the governor, subject to
1 27 confirmation by the senate. The governor's appointments of
1 28 citizen members shall be made in a manner so that each of the
1 29 state's congressional districts is represented by two citizen
1 30 members and so that all the appointments as a whole reflect
1 31 the ethnic, cultural, social, and economic diversity of the
1 32 state. ~~The governor's appointees shall be selected from~~
~~1 33 individuals nominated by community empowerment area boards.~~
~~1 34 The nominations shall reflect the range of interests~~
~~1 35 represented on the community boards so that the~~ The governor
2 1 ~~is able to~~ shall appoint one or more members each for early
2 2 care, education, health, human services, business, faith, and
2 3 public interests. At least one of the citizen members shall
2 4 be a service consumer or the parent of a service consumer.
2 5 Terms of office of all citizen members are three years. A
2 6 vacancy on the board shall be filled in the same manner as the
2 7 original appointment for the balance of the unexpired term.
2 8 Sec. 4. Section 28.3, subsection 5, Code 2005, is amended
2 9 to read as follows:
2 10 5. A community empowerment assistance team or teams of
2 11 state agency representatives shall be designated to provide
2 12 technical assistance and other support to community

2 13 empowerment areas and for the board's efforts to address early
2 14 care, education, health, and human services. A technical
2 15 assistance system shall be developed using local
2 16 representatives of the state agencies represented on the Iowa
2 17 board and other state agencies and individuals involved with
2 18 local ~~community empowerment areas~~ early care, education,
2 19 health, and human services. ~~The technical assistance shall be~~
2 20 ~~available in at least three levels of support as follows:~~
2 21 a. ~~Support to areas experienced in operating an innovation~~
2 22 ~~zone or decategorization project with an extensive record of~~
2 23 ~~success in collaboration between education, health, or human~~
2 24 ~~services interests.~~
2 25 b. ~~Support to areas experienced in operating an innovation~~
2 26 ~~zone or decategorization project.~~
2 27 c. ~~Support to areas forming an initial community~~
2 28 ~~empowerment area with no previous experience operating an~~
2 29 ~~innovation zone or decategorization project.~~
2 30 Sec. 5. Section 28.3, subsection 6, paragraph b, Code
2 31 2005, is amended to read as follows:
2 32 b. In addition, a community empowerment office is
2 33 established as a division of the department of management to
2 34 provide a center for facilitation, communication, and
2 35 coordination for community empowerment activities and funding
3 1 and for improvement of the early care, education, health, and
3 2 human services systems. Staffing for the community
3 3 empowerment office shall be provided by a facilitator
3 4 appointed by the governor, subject to confirmation by the
3 5 senate, and who serves at the pleasure of the governor. A
3 6 deputy and support staff may be designated, subject to
3 7 appropriation made for this purpose. The facilitator shall
3 8 submit reports to the governor, the Iowa board, and the
3 9 general assembly. The facilitator shall provide primary
3 10 staffing to the board, coordinate state technical assistance
3 11 activities and implementation of the technical assistance
3 12 system, and other communication and coordination functions to
3 13 move authority and decision-making responsibility from the
3 14 state to communities and individuals.
3 15 Sec. 6. Section 28.4, subsection 4, Code 2005, is amended
3 16 to read as follows:
3 17 4. Identify boards, commissions, committees, and other
3 18 bodies in state government with overlapping and similar
3 19 purposes which contribute to redundancy and fragmentation in
3 20 early care, education, health, and human services programs
3 21 provided to the public. The board shall also make
3 22 recommendations and provide an annually updated strategic plan
3 23 to the governor, children's cabinet, and general assembly as
3 24 appropriate for increasing coordination between these bodies,
3 25 for eliminating bureaucratic duplication, for consolidation
3 26 where appropriate, and for improving the efficiency of working
3 27 with federally mandated bodies, for integration of services
3 28 and service quality functions to achieve improved results, and
3 29 for integration of state-administered funding streams directed
3 30 to community empowerment areas and other community-based
3 31 efforts for providing early care, education, health, and human
3 32 services.
3 33 Sec. 7. Section 28.4, subsection 12, Code 2005, is amended
3 34 by striking the subsection and inserting in lieu thereof the
3 35 following:
4 1 12. Integrate statewide quality standards adopted by other
4 2 boards and commissions into the Iowa empowerment board's
4 3 funding requirements for investments in early care, education,
4 4 health, and human services.
4 5 Sec. 8. Section 28.5, subsection 1, Code 2005, is amended
4 6 to read as follows:
4 7 1. The purpose of a community empowerment area is to
4 8 enable local citizens to lead collaborative efforts involving
4 9 early care, education, health, and human services programs on
4 10 behalf of the children, families, and other citizens residing
4 11 in the area. Leadership functions may include but are not
4 12 limited to strategic planning for and oversight and managing
4 13 of such programs and the funding made available to the
4 14 community empowerment area for such programs from federal,
4 15 state, local, and private sources. The initial focus of the
4 16 purpose is to improve results for families with young
4 17 children.
4 18 Sec. 9. Section 28.6, subsection 1, paragraph a, Code
4 19 2005, is amended to read as follows:
4 20 a. Community empowerment area functions shall be performed
4 21 under the authority of a community empowerment area board. A
4 22 majority of the members of a community board shall be elected
4 23 officials and members of the public who are not employed by a

4 24 provider of services to or for the community board. At least
4 25 one member shall be a service consumer or the parent of a
4 26 service consumer. Terms of office of community board members
4 27 shall be not more than three years and the terms shall be
4 28 staggered. The membership of a community empowerment area
4 29 board shall include members with early care, education,
4 30 health, human services, business, faith, and public interests.
4 31 Sec. 10. Section 28.8, subsection 5, paragraph c,
4 32 unnumbered paragraph 1, Code 2005, is amended to read as
4 33 follows:

4 34 A community board's readiness shall be ascertained by
4 35 evidence of successful collaboration among public or private
5 1 early care, education, ~~human services, or health, or human~~
5 2 ~~services~~ interests or a documented program design evincing a
5 3 strong likelihood of leading to a successful collaboration
5 4 between these interests. Other criteria which may be used by
5 5 the Iowa board to ascertain readiness and to determine funding
5 6 amounts include one or more of the following:

5 7 Sec. 11. Section 28.8, subsection 5, Code 2005, is amended
5 8 by adding the following new paragraph:

5 9 NEW PARAGRAPH. e. The Iowa empowerment board shall
5 10 establish and implement limits on the carryforward of school
5 11 ready children grant funding, including provision for
5 12 redistribution or other redirection of the funding.

5 13 Sec. 12. NEW SECTION. 28.10 CHILDREN'S CABINET.
5 14 1. A children's cabinet is created to serve as an advisory
5 15 council to the governor and to improve coordination of early
5 16 care, education, health, and human services systems in the
5 17 state, relative to the services and other support these
5 18 systems provide on behalf of children. The children's cabinet
5 19 shall coordinate its efforts with the Iowa empowerment board.
5 20 The department directors who are members of the children's
5 21 cabinet shall work to implement, within their respective
5 22 department's policymaking areas, the plans, policies, and
5 23 other provisions recommended by the Iowa empowerment board.

5 24 2. The children's cabinet shall consist of the directors
5 25 of all of the following departments:

5 26 a. Department of economic development created in section
5 27 15.105.

5 28 b. Department of education created in section 256.1.

5 29 c. Department of human rights created in section 216A.1.

5 30 d. Department of human services created in section 217.1.

5 31 e. Department of management created in section 8.4.

5 32 f. Iowa department of public health created in chapter
5 33 135.

5 34 g. Any other department designated by the governor.

5 35 3. The children's cabinet is responsible for all of the
6 1 following regarding the state's early care, education, health,
6 2 and human services systems, relative to the services and other
6 3 support these systems provide on behalf of children:

6 4 a. Providing for a uniform, systemwide children's agenda
6 5 within the departments under the direction of the cabinet
6 6 members.

6 7 b. Improving coordination between departments for the
6 8 children's services systems.

6 9 c. Improving the focus on and prioritizing resources to be
6 10 committed to the children's services systems.

6 11 d. Developing and implementing strategies for sustainable
6 12 financing of the children's services systems.

6 13 e. Developing collaborative policy recommendations for the
6 14 governor and lieutenant governor regarding improvements for
6 15 the children's services systems.

6 16 f. Ensuring that policy and performance measures used in
6 17 the children's services systems are culturally sensitive.

6 18 g. Providing regular review of the existing services and
6 19 other support available for children from birth through age
6 20 five.

6 21 4. The children's cabinet shall meet as directed by the
6 22 governor and meet on other occasions as determined to be
6 23 necessary by the cabinet.

6 24 Sec. 13. Section 237A.13, subsection 5, paragraph c, Code
6 25 2005, is amended to read as follows:

6 26 c. Families with an income of more than one hundred
6 27 percent but not more than one hundred ~~forty~~ forty-five percent
6 28 of the federal poverty level whose members are employed at
6 29 least twenty-eight hours per week.

6 30 Sec. 14. Section 237A.30, Code 2005, is amended by
6 31 striking the section and inserting in lieu thereof the
6 32 following:

6 33 237A.30 CHILD CARE QUALITY RATING SYSTEM.

6 34 1. The department shall work with the community

6 35 empowerment office of the department of management established
7 1 in section 28.3 and the state child care advisory council in
7 2 designing and implementing a quality rating system for child
7 3 care facilities.

7 4 2. The quality rating system shall be voluntary and
7 5 composed of multiple ratings based upon the rating criteria
7 6 adopted for the system. The criteria utilized may include but
7 7 are not limited to any of the following: facility type;
7 8 provider staff education, training, and credentials; facility
7 9 director education and training; an environmental rating score
7 10 or other direct assessment environmental methodology; national
7 11 accreditation; facility history of compliance with law and
7 12 rules; child-to-staff ratio; curriculum; business practices;
7 13 staff retention rates; evaluation of staff members and program
7 14 practices; staff compensation and benefit practices; provider
7 15 and staff membership in professional early childhood
7 16 organizations; and parental involvement with the facility.

7 17 3. The department may directly administer or contract for
7 18 the administration of the quality rating system. A facility's
7 19 quality rating may be included on the internet page and in the
7 20 consumer information provided by the department pursuant to
7 21 section 237A.25 and shall be identified in the child care
7 22 provider referrals made by child care resource and referral
7 23 service grantees under section 237A.26.

7 24 4. For reimbursement paid under the state child care
7 25 assistance program established in section 237A.13, the
7 26 department may implement a reimbursement rate methodology
7 27 applicable to child care facilities participating in the
7 28 rating system in which the reimbursement rate varies based
7 29 upon the rating of a facility and may pay an achievement bonus
7 30 under the program to providers that are awarded a quality
7 31 rating.

7 32 Sec. 15. Section 256.9, Code 2005, is amended by adding
7 33 the following new subsections:

7 34 NEW SUBSECTION. 53. Develop a request for proposals
7 35 process that includes criteria that support the shared visions
8 1 model, and invites interested local communities, empowerment
8 2 boards, and school districts to develop and submit an
8 3 implementation plan based on the shared visions model. The
8 4 director shall implement an assessment and approval process
8 5 for assessing the proposals and plans submitted. Any plan for
8 6 a preschool program based on the shared visions model shall
8 7 include, but shall not be limited to, the following:

8 8 a. A plan designed to achieve national association for the
8 9 education of young children accreditation of the preschool
8 10 program within three years of the program's implementation.

8 11 b. A requirement that all lead teachers hold endorsements
8 12 in early childhood education.

8 13 c. A minimum preschool day consisting of four and one-half
8 14 hours of services to children enrolled in the program.

8 15 d. Universal eligibility for all three-year-old and four=
8 16 year-old children in the community.

8 17 e. Demonstration that services provided are culturally
8 18 sensitive and inclusive, regardless of family structure,
8 19 socioeconomic, racial, religious, or cultural backgrounds,
8 20 gender, abilities, or preferred language.

8 21 f. Evidence of collaborations with community organizations
8 22 and programs to ensure the availability of comprehensive
8 23 health, nutrition, and dental and mental health services to
8 24 children and families.

8 25 g. Provision of before and after school care.

8 26 h. Ongoing staff development that addresses early learning
8 27 standards developed pursuant to subsection 54.

8 28 i. A comprehensive assessment system that provides the
8 29 following:

8 30 (1) Ongoing program assessment and reporting based on
8 31 current research-based practices and strategies.

8 32 (2) Ongoing child assessment and reporting based on
8 33 current research-based child assessment practices and
8 34 strategies.

8 35 NEW SUBSECTION. 54. Develop statewide, voluntary early
9 1 learning standards for three-year-old and four-year-old
9 2 children enrolled in a state or federally funded preschool
9 3 program. The director shall also provide for professional
9 4 development on the early learning standards and related best
9 5 practices to the staff members of such programs.

9 6 Sec. 16. Section 256A.2, unnumbered paragraph 1, Code
9 7 2005, is amended to read as follows:

9 8 A child development coordinating council is established to
9 9 promote the provision of child development services to at-risk
9 10 ~~three-year-and~~ three-year-old and four-year-old children. The

9 11 program under which the council promotes child development
9 12 services may be known and cited as the shared visions model.

9 13 The council shall consist of the following members:

9 14 Sec. 17. Section 256A.3, subsection 3, Code 2005, is
9 15 amended by striking the subsection and inserting the lieu
9 16 thereof the following:

9 17 3. Annually submit a report to the governor and the
9 18 general assembly by January 15 that summarizes progress in
9 19 statewide implementation of the shared visions model.

9 20 Sec. 18. PHASED IMPLEMENTATION.

9 21 1. Effective July 1, 2005, the department of human
9 22 services shall no longer accept applications for the gold seal
9 23 quality designation for child care providers under section
9 24 237A.30, Code 2005. However, if a child care provider has
9 25 been awarded the designation prior to July 1, 2005, the
9 26 designation may continue to be utilized for that provider
9 27 until the designated period of nationally recognized
9 28 accreditation for which the gold seal designation was awarded
9 29 has ended.

9 30 2. The department of human services shall commence
9 31 implementation of the child care quality rating system under
9 32 section 237A.30, as amended by this Act, by awarding ratings
9 33 beginning on or after January 1, 2006.

9 34 EXPLANATION

9 35 This bill relates to improvement of the early care, child
10 1 care services, education, health, and human services systems
10 2 under the oversight of the department of education, the
10 3 department of human services, the Iowa empowerment board, and
10 4 the child development coordinating council; provides for the
10 5 establishment of statewide voluntary standards and
10 6 professional development to support universal access to high=
10 7 quality preschool programs; and creates a children's cabinet.

10 8 The bill makes several changes to Iowa's community
10 9 empowerment Act in Code chapter 28.

10 10 The community empowerment initiative under current law is
10 11 directed to improving the efficiency and effectiveness of
10 12 education, health, and human services provided to families
10 13 with children from birth through five years. The bill
10 14 includes early care in this list throughout Code chapter 28.
10 15 A requirement for the governor to appoint Iowa empowerment
10 16 board members from individuals nominated by community
10 17 empowerment area boards is deleted.

10 18 The Iowa empowerment board, technical assistance team, and
10 19 community empowerment office duties and focus are expanded
10 20 beyond community empowerment areas to generally encompass
10 21 improvements to the early care, education, health, and human
10 22 services systems. A requirement for technical assistance to
10 23 be provided in at least three levels of support is deleted.

10 24 The board is also directed to develop an annually updated
10 25 strategic plan for addressing boards and other state bodies
10 26 with overlapping and similar purposes, improving the
10 27 efficiency of working with federally mandated bodies,
10 28 integrating service and service quality functions, and
10 29 integrating state-administered funding streams directed to
10 30 community empowerment areas and other community-based efforts
10 31 for providing early care, education, health, and human
10 32 services.

10 33 The bill strikes current Code section 28.4, subsection 12,
10 34 that requires the board to develop and annually update five=
10 35 year and 10-year plans for consolidating, blending, and
11 1 redistributing funding directed to children from birth through
11 2 age five and to specifically address these programs: healthy
11 3 opportunities for parents to experience success (HOPES)=
11 4 healthy families Iowa (HFI), parent education and preschool
11 5 children at-risk programs funded through the child development
11 6 coordinating council, and home visitation and family support
11 7 funded through child abuse prevention grants and the family
11 8 preservation program. Instead, the board is directed to
11 9 integrate statewide quality standards for the four service
11 10 systems into the board's requirements for investments in the
11 11 four systems. Under the requirements for the school ready
11 12 children grant program, the board is required to establish and
11 13 implement limits on the carryforward of grant funding.

11 14 The children's cabinet is established in new Code section
11 15 28.10. The purpose of the children's cabinet is to serve as
11 16 an advisory council to the governor and to improve
11 17 coordination of early care, education, health, and human
11 18 services systems in the state, relative to the services and
11 19 other support these systems provide on behalf of children. In
11 20 addition, the cabinet is responsible for coordinating efforts
11 21 with the Iowa empowerment board.

11 22 The directors of the following departments are designated
11 23 as members of the children's cabinet: economic development,
11 24 education, human rights, human services, management, and
11 25 public health. In addition, the governor may designate as
11 26 members directors of other departments. These department
11 27 directors are directed to work to implement, within their
11 28 respective department's policymaking areas, the bills'
11 29 policies as recommended by the Iowa empowerment board.
11 30 The duties of the children's cabinet are listed.
11 31 The bill amends Code chapter 237A as follows:
11 32 Code section 237A.13 requirements for the state child care
11 33 assistance program are revised. The income eligibility
11 34 standard used for the third of the program's four waiting list
11 35 priorities is increased by 5 percent. This third priority, as
12 1 amended by the bill, is for families with an income of 100
12 2 percent but not more than 145 percent of the federal poverty
12 3 level whose members are employed at last 28 hours per week.
12 4 The waiting list requirements are applied if the funding
12 5 appropriated for the program is insufficient to provide
12 6 assistance to all who would otherwise be eligible.
12 7 Code section 237A.30, providing for recognition of high=
12 8 quality child care providers with a gold seal quality child
12 9 care provider designation, is stricken and replaced with a new
12 10 child care quality rating system for child care facilities.
12 11 Code chapter 237A defines the term "child care facility" to
12 12 mean a child care center, preschool, or registered child
12 13 development home. The new rating system is required to be
12 14 voluntary and to include multiple ratings. The department is
12 15 required to develop the rating system by working with the
12 16 community empowerment office of the department of management
12 17 and the state child care advisory council. The bill lists
12 18 various criteria that the department may use in developing the
12 19 multiple ratings to be used in the quality rating system.
12 20 The bill requires the department to stop accepting
12 21 applications for the gold seal quality child care provider
12 22 designation effective July 1, 2005. However, the designation
12 23 may continue to be used until the designated period of
12 24 nationally recognized accreditation has ended.
12 25 The department is required to commence implementation of
12 26 the quality rating system by awarding ratings beginning on or
12 27 after January 1, 2006.
12 28 The bill amends Code section 256.9 to require the director
12 29 of the department of education to develop a request for
12 30 proposals, and criteria that support the shared vision model,
12 31 that invites local communities, empowerment boards, and school
12 32 districts to develop an implementation plan based on the
12 33 shared visions model. The bill describes the components each
12 34 plan must include.
12 35 The bill further requires that the director develop
13 1 statewide, voluntary early learning standards for three-year=
13 2 old and four-year-old children enrolled in a state or
13 3 federally funded preschool program. The director must also
13 4 provide for professional development on the early learning
13 5 standards and related best practices to the staff members of
13 6 these preschool programs.
13 7 The bill amends Code chapter 256A to direct the child
13 8 development coordinating council to submit an annual progress
13 9 report regarding statewide implementation of the shared
13 10 visions model to the governor and the general assembly.
13 11 Current law requires the council to make recommendations to
13 12 the department of education and the general assembly regarding
13 13 early elementary education. The bill also eliminates a
13 14 provision that requires the council to develop an inventory of
13 15 child development services.
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